

BEFORE THE TENNESSEE REGULATORY AUTHORITY
AT NASHVILLE, TENNESSEE

IN RE: UNIVERSAL SERVICE
PROCEEDING

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) DOCKET NO. 97-00888
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COMMENTS

Comes the Consumer Advocate Division to respectfully submit these comments arising from the October 14, 1997 technical conference. It is my understanding that the conference was oriented to defining issues for Phase 1, except to the extent that an issue overlaps both phases.

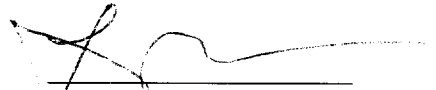
As a result, without waiving any phase 2 issues we provide the following comments:

1. The Consumer Advocate Division believes that all of the additional issues identified by the staff are appropriate.
2. Staff issues 1, 2, 3, and 6 may potentially be subjects of stipulation.
3. Upon identifying protagonists, making the legal issue explicit, assigning burdens of proof regarding issues and times for reply the following non-cost issues are susceptible of briefing. 1a, 1c, 2, 3f, 4abc, 5a, 6ab, 14abcd.
4. Upon identifying protagonists, making the legal issue explicit, assigning burdens of proof regarding issues and times for reply the following non-cost issues are susceptible of mixed legal briefing and policy resolution. 1b, 1d, 1e, 3abcde, 5bc, 8abce, 9abcdfghk, 11b, 12a, 13a, 14e, 15.

5. Upon identifying protagonists, making the issues explicit, assigning burdens of proof regarding issues and times for reply the following non-cost issues are susceptible of mixed law and fact and policy resolution. 2a, 5d, 7abc, 8d, 9j, 10c, 12b.
6. Issues 10ab, 11a appear to be policy issues.
7. Upon identifying protagonists, making the issue explicit, assigning burdens of proof regarding issues and times for reply the following non-cost issues are fact issues. 9ei.
8. Phase 2 does not sufficiently provide for an earnings investigation quality determination of just and reasonable rates, nor does the schedule provide sufficient time for such an investigation, hearing and determination. In addition, the methodology will be determined before the facts are ascertained under the existing schedule. The phase 1 schedule appears acceptable.
9. Issue 15- The Consumer Advocate Division believes that it is logical to combine access charge reform with Universal Service proceedings and such a combination is in the interest of judicial economy.
10. The Consumer Advocate Division is not able to provide a list of access charge issues by November 14, 1997. However, issues with respect to Tennessee consumers are expected

11. to arise, directly or indirectly, from the proposals and proposed issues of the public utilities.

Respectfully submitted,



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Certificate of Service

I hereby certify that a true and correct copy of the comments was served on parties of below via U.S. Mail, postage prepaid, this October 21, 1997.

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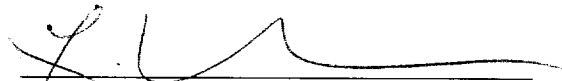
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